

H.B. No. 12214

By Cummings

A BILL

To Be Entitled

AN ACT raising the maximum limit on fees that may be charged for the inspection of steam boilers and raising the fee levied against owners and users of steam boilers for each certificate of operation issued; amending Sections 5 and 12, Chapter 239, Acts of the 57th Legislature, Regular Session, 1961 (codified as Article 5221c, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 5, Chapter 239, Acts of the 57th Legislature, Regular Session, 1961 (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 5. Every insurance company insuring boilers in this State shall, within thirty (30) days after inspecting any steam boiler, file a duplicate report of such inspection with the Commissioner showing the date of such inspection together with the name of the person making such inspection, and such report shall show fully the condition and location of such boiler at the time such inspection was made. Such report shall also state when the policy of insurance was issued by the insurance company on said boiler and the date of expiration of such policy of insurance.

The owner or user of every boiler inspected by an inspector for an insurance company authorized to do business in this State on which such insurance company has issued a policy of insurance after inspection thereof, shall be exempt from other inspections and inspection fees under the provisions of this Act; provided nothing in this Section shall prevent the Commissioner from authorizing the inspection of any insured boiler at any reasonable time when, in the opinion of the Commissioner, such insured boiler may be in an unsafe condition, provided the Commissioner shall contact the insurance company carrying insurance on said boiler and that the inspector for the insurance company carrying such insurance and the inspector or deputy inspector shall jointly and together inspect the

boiler, within twenty (20) days, for which inspection no additional charge shall be made as set forth in Section 12 of this Act. The Commissioner is authorized and has authority to issue a Certificate of Operation to the owner or user of all boilers subject to inspection under this Act, and the owner or user of an insured boiler shall pay the sum of Six Dollars (\$6) for each Certificate of Operation issued, and the owner or user of a State-inspected boiler shall pay a like sum of Six Dollars (\$6) for each Certificate of Operation issued, which said fee shall be and is absorbed by the internal and external inspection fee authorized in Section 12 of this Act. Every insurance company shall notify the Commissioner in writing of the cancellation or expiration of every policy of insurance issued by it with reference to boilers in this State, within twenty (20) days after the expiration or cancellation of said policy, giving the cause or reason for such cancellation or expiration. Such notice of cancellation or expiration shall show the date of the policy and the date when the cancellation or expiration has or will become effective."

Section 2. Section 12, Chapter 239, Acts of the 57th Legislature, Regular Session, 1961 (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 12. The Commissioner shall fix and collect fees for the inspection of steam boilers covered by this Act, which exceed thirty (30) inches in diameter, external and internal inspection not to exceed Thirty Dollars (\$30) in each twelve-month period; and for boilers exceeding twenty-four (24) inches in diameter and not exceeding thirty (30) inches in diameter, Twenty Dollars (\$20) for each complete inspection in each twelve-month period; and boilers not exceeding twenty-four (24) inches in diameter, Ten Dollars (\$10) for each complete inspection in each twelve-month period. Provided that, when a boiler is found unfit for further use no Certificate of Inspection shall be issued and the use of such condemned boiler may be prohibited. Provided further that the Commissioner or any of his employees shall not have authority to prescribe the make, brand or kind of boilers to buy or purchase. And provided that when any inspector or employee of the Commissioner tears down a boiler in a cleaning and

pressing establishment said inspector or employee shall assist the owner to repair and assemble said boiler as it was before it was dismantled, and if he fails to assist said owner said fee shall not be paid. Such fees must be paid by the owner or user before the issuance of a Certificate of Operation for the boiler inspected. No fees shall be charged the owner or user by the Commissioner when the inspection herein provided for has been made by an inspector holding a commission as inspector from said Commissioner if the holder of such commission as inspector is employed by any county, or city and county, or city, or insurance company except the charge fixed for Certificate of Operation in Section 5 hereof. All fees collected by the Commissioner under this Act shall be paid into the State Treasury to the credit of the General Revenue Fund."

Section 3. The importance of this legislation and the crowded condition of the Calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

H.B. No. 1216

By Cummings

A BILL

TO BE ENTITLED

AN ACT raising the maximum limit on fees that may be charged for the inspection of steam boilers and raising the fee levied against owners and users of steam boilers for each certificate of operation issued; amending Sections 5 and 12, Chapter 239, Acts of the 57th Legislature, Regular Session, 1961 (codified as Article 5221c, Vernon's Texas Civil Statutes); and declaring an emergency.

FILED MAR 14 1969

READ 1st TIME
AND REFERRED TO COMMITTEE ON

Public Health
Dorothy Hallman

Chief Clerk, House of Representatives

MAR 24 1969